

***In re SFNTC Marketing, Sales Practices & Products Liability Litigation (No. 1:16-md-2695-JB-LF):***  
**DEFICIENCIES IN PLAINTIFFS' CLAIMS**

**STATUTORY CLAIMS**

Cause of Action	Claim	Safe Harbor	Reasonable-Consumer Standard	Other
Cal. 1	Consumer Legal Remedies Act (Cal. Civ. Code § 1750)	X	X	
Cal. 2	False Advertising Law (Cal. Bus. & Prof. Code § 17500)	X	X	
Cal. 3	Unfair Competition Act (Cal. Bus. & Prof. Code § 17200)	X	X ("fraudulent" prong)	
Colo. 1	Consumer Protection Act (Col. Rev. Stat. § 6-1-101)	X		
Fla. 1	Unfair & Deceptive Trade Practices Act (Fla. Stat. § 501.201)	X	X	
Ill. 1	Consumer Fraud & Deceptive Business Practices Act (815 Ill. Comp. Stat. 505/1)	X	X	
Ill. 2	Uniform Deceptive Trade Practices Act (815 Ill. Comp. Stat. 510/1)	X		X
Mass. 1	Unfair And Deceptive Business Practices (Mass. Gen. Laws ch. 93A)	X	X	
Mich. 1	Consumer Protection Act (Mich. Comp. Laws § 445.901)	X	X	
N.J. 1	New Jersey Consumer Fraud Act (N.J.S.A. § 56:8-1)	X	X	
N.J. 2	New Jersey Truth-In-Consumer Contract, Warranty & Notice Act (N.J.S.A. § 56:12-14)	X		X
N.M. 1	Unfair Practices Act (N.M. Stat. Ann. § 57-12-1)	X	X	
N.M. 2	False Advertising Law (N.M. Stat. Ann. § 57-15-1)	X		
N.Y. 1	N.Y. G.B.L. § 349	X	X	
N.Y. 2	N.Y. G.B.L. § 350	X	X	
N.C. 1	Unfair & Deceptive Trade Practices Act (N.C. Gen. Stat. § 75-1.1(a))	X	X	
Ohio 1	Consumers Sales Practice Act (Ohio Rev. Code ch. 1345)	X	X	X
Ohio 2	Deceptive Trade Practices Act (Ohio Rev. Code ch. 4165)	X		X
Wash. 1	Consumer Protection Act (Wash. Rev. Code Ann. § 19.86.010)	X	X	

**EXHIBIT A**

*In re SFNTC Marketing, Sales Practices & Products Liability Litigation* (No. 1:16-md-2695-JB-LF):  
DEFICIENCIES IN PLAINTIFFS' CLAIMS

**UNJUST-ENRICHMENT CLAIMS**  
(Based on States of Purchase)

Cause of Action	No Injustice	Adequate Remedy at Law	No Direct Benefit	Other
Cal. 4	X			
Colo. 2	X	X		
Fla. 2	X	X		
Ill. 3	X			
Mass. 2	X	X		
Mich. 2	X	X	X	
N.J. 3	X	X	X	X
N.M. 3	X			
N.Y. 3	X	X		X
N.C. 2	X	X	X	
Ohio 3	X	X	X	
Wash. 2	X	X		

**EXPRESS-WARRANTY CLAIMS**  
(Based on States of Purchase)

State	No Breach	No Pre-Suit Notice	No Privity
California	X	X	
Colorado	X		
Florida	X	X	X
Illinois	X	X	X
New Jersey	X		
New Mexico	X	X	
New York	X	X	X
North Carolina	X	X	